



Parks and Recreation Department
Tuesday, February 10, 2009

Meeting

A special called meeting of the Parks and Recreation Board was held on Tuesday, February 10, 2009 at the Parks and Recreation Department Board Room, 200 South Lamar Blvd.

Board Members Present: Board Chair Linda Guerrero, Board Vice-Chair Danette Chimenti, Jeff Francell, Sara Marler and Jane Rivera.

Board Members Absent: Mark Vane and Marilyn Bostick.

Staff Members Present: Sara Hensley, Stuart Strong, Ricardo Soliz, Chris Yanez, and Tino Garcia.

A. Meeting called to order

Board Chair Guerrero called the meeting to order at 12:10 p.m.

B. Citizen Communication

Alan Roddy spoke in favor of the Board resolution and requested that the resolution be monitored until the code is fixed.

Hal Engelhardt, President Austin Dock, said he has constructed trams all over the world and is an advocate of getting permits to construct trams.

Antonio Uresti did not speak.

M. Lasater, President, Lake Austin Collective, pointed out that some things were left out of the proposed resolution and offered a substitute resolution. She requested adopting the substitute or amend the proposed one.

C. Make a recommendation to the City Council to consider amending the Land Development Code to require the review and permitting of the construction and alteration of "Trams" within the City's jurisdiction.

Holly Nokle City Legal and Bruce Apperlee added/provided additional information regarding the language of the Code and steps that are followed when a builder wants to construct a tram.

Ms. Nolke, City Legal representative, was asked to provide input on the proposed resolution. After consultation with the Board, Board Member Chimenti moved to adopt the following resolution:

WHEREAS, Austin has seen an increase number of trams being built on steep slopes in residential areas to access Lake Austin for recreational activity; and

WHEREAS, The City of Austin has not consistently required permits for trams being built adjacent to and above Lake Austin; and

WHEREAS, Property owners are requesting approval for residential boat docks adjoining steep slopes to access the water from the Parks & Recreation Board; and

WHEREAS, The Parks & Recreation Board is concerned about the safety of the trams and the disturbance to the vegetation, habitat and Critical Environmental Features (CEF) and stability of these steep slopes when building and altering trams;

NOW, THEREFORE, BE IT RESOLVED BY THE PARKS & RECREATION BOARD OF THE CITY OF AUSTIN:

The Parks & Recreation Board recommends that the City Council and Planning Commission consider amending the Land Development Code to require the review and permitting of the construction, and alteration of "Trams" within the City's jurisdiction and to ensure consistent regulations and procedures are followed for the construction of trams.

Board Member Francell, seconded the motion. Motion carried 5-0.

With no further business, the meeting was adjourned at 1:00 p.m.

5. Make a recommendation to City Council regarding the Boardwalk Trail at Lady Bird Lake.

David Taylor, Public Works Department, again briefed the board on the conceptual plan for the Boardwalk Trail at Lady Bird Lake. He reported on the projects 8 major goals which range from providing safe user experiences and respecting natural settings to offering a variety of experiences, scenic views and integrating with other lake activities. He pointed out the path parameters on the Plan which include routing the trail on land as much as possible, complying with ADA rules, the use multi-use surfaces, periodic rest stops and other enhancements. Mr. Taylor's presentation highlighted the recommended routing paths for each of the six major segments of the trail and concluded with the recommended trail design elements.

Citizen communication:

The following persons spoke or donated time to other speakers in opposition to the proposed conceptual plan for the Boardwalk.

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| David Tiger | Tim Florer | Jeff Taylor |
| Felipe Correa | Steve Tittle | Jill Chamberlain |
| Bucker Hightower | Eric Fisher | Jean Warneke |
| Fred Schmidt | Lisa Tucker | John Erskine |
| Vic Hidalgo | Chris Curtis | Steven Neilson |
| Lindsey Davis | Rich Heibler | Nan Redding |
| Shelley Meiers | | |

The following persons spoke in support of the proposed conceptual plan for the Boardwalk.

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| Griffin Davis | Susan Rankin | Monica Byram |
| Blake Byram | Robin Stallings (sp) | Chris Reilly |

After much discussion, Board Member Marler proposed, with friendly amendments from Board Member Rivera and Board Member Chimenti, the following motion.

The Board recommends that we forward to the City Council the approval of the concept of a Boardwalk that will connect East to the West and that we complete the trail along the South Side of Lady Bird Lake, also that staff and developers should continue to meet with all stakeholders in an attempt to develop viable on-land alternatives in major stretches of the trail; and to explore where significant cost savings can be realized. In addition, the Waterfront Overlay Task Force recommendations be passed prior to the finalization of the plan. Motion carried 5-0.

6. Make a recommendation to the Director regarding the Tarrytown Boat Dock Club.

Board Member Francell clarified the recommendation explaining that the intent is to approve 11 slips and rebuild the existing 6-slip facility. Three slips are already on the property, so the recommendation is to approve the 11 slips plus the rebuilding of 3 - to total 14.

Ms. Gerbracht indicated that the ordinance would not take effect until January 2010 in order to allow time for event promoters to prepare and for staff to develop a more streamlined process. A brief will be provided to the City Council on March 5, 2009 with possible Council action taken on March 12, 2009.

Dorsey Twidwell, Exchange Club of Austin and the Austin Kite Festival, said that the Sustainable Event Plan requirement may be too stringent and could eliminate the current festival (a not-for-profit event). He cited concerns about the logistics such as where to buy the carbon offsets, who permits and who enforces the event. The club agrees with the concept of the sustainable events plan but requests that more time be given in order to comply.

E. New Business and Action Items

4. Make a recommendation to the City Council regarding the sustainable events plan.

Board Member Chimenti inquired if any accommodations were being considered for non-profit events such as the Kite Festival. Board Member Marler asked if a variance or a sliding scale could be applied for non-profit events as well. Staff stated that 1) a cap could be placed on the amount of money that an event holder would have to pay in order to offset the emissions and 2) there was a likelihood that a sliding scale or variance could apply. Both of these options have not been fully determined.

After additional discussion, Board Member Chimenti moved to support the sustainable events plan with the stipulation that special attention be paid to smaller not-for-profit groups so they are not negatively impacted and will have to close down. The motion also included the following:

For events (subject to this green policy) that do not ticket or charge admission for entrance as described in the adopted Parks and Recreation Department Special Events Policy yet use parkland for all or a portion of their event and register/charge/ or ticket for participation, organizers should pay a **sustainability fee** of 25 cents/person to the Austin Parks Foundation for park specific projects to build a sustainability fund for the impacted park(s).

For events that use park land for multiple day events, the organizers shall be charged once per contract/rental period. The motion was seconded by Board Member Francell, and carried 5-0.

Clint Small, former Navigation Committee Chair, said while he was chair, the committee members tried to rewrite some of the regulations of the Land Development Code due to the ambiguity of the Code. For example, the Code is very ambiguous regarding clusters and marinas. He added that he thought that the Board did not have legal authority to rule on non-conforming structures that were not zoned properly.

Craig A. Dunagan, Attorney for the Tarry Town Boat Club, provided the Board a handout which requested approval for the Tarry Town Boat Club to replace an existing cluster of 12 floating boat slips with a cluster of 12 moored boat slips. The application pertains to Lot 38 in the Tarry Town River Oaks, a 55 year old subdivision in Old West Austin. The handout included language regarding the City of Austin Code section 25-2-1173 which identified three requirements for a building official approval on the construction of the proposed replacement cluster of 12 boat slips on this lot. He provided a pertinent time line of the history of the Tarry Town River Oaks Section Two Subdivision from August 1953 all the way to January 2009.

Peter Phifer, spoke about wanting to bring closure to this issue and hoped that all parties would go back to being friendly neighbors.

Scott Sayers, expressed his concern for the TTBC application and is opposed to the permit. He stated that the application did not address city code issues such as permanent restrooms and on-site parking on any site requiring 10 or more slips. Mr. Sayers requested that the Board not take any action on the application at this meeting, but if action was taken, that the recommendation include addressing the city code issues of permanent restrooms and on-site parking and that no additional future applications for the site be granted.

Amanda Morrow, Land Development Consultant, also addressed the Board and requested denial of the application request. Ms. Morrow thinks that the application, as presented, does not meet the requirement of the Land Development Code. Ms. Morrow also requested no action be taken but if action was indeed taken, that the applicant must adhere to the issues of on-site parking, permanent restrooms and land use issues as well.

Board Member Francell moved to recommend to the Director that the Parks Board approve replacing the current boat dock at the Tarrytown Boat Club with an eleven (11) slip dock. This approval is conditional on the TTBC submitting plans to the City of Austin to erect a restroom on site, accommodations for the increase in parking and compliance with other aspects of the Land Development Code to the maximum extent practical. Furthermore, the Board requests that the TTBC not ask for any new slips or new slip construction on the site from either the Board of Adjustments or the Parks and Recreation Department for at least 15 years. The motion was seconded by Board Member Chimenti. Motion carried 5-0.

7. Make a recommendation to the Director regarding the Christopher Boat Dock.

Board Member Francell moved to approve the applicant's request, seconded by Board Member Rivera. Motion carried 5-0.

8. Make a recommendation to the Director regarding the River Terrace Boat Dock.

Board Member Francell moved to approve the applicant's request, seconded by Board Member Rivera. Motion carried 5-0.

With no further business, the meeting was adjourned at 10:04 p.m.